

**San Luis Obispo County
Grand Jury**



HANDBOOK

2005 - 2006

APPENDICES

Table of Contents

Appendix A	Final Report Format	3
Appendix B	Style Manual.....	12
Appendix C: Reports Timeline		21
	Checklist for Grand Jury	22
Appendix D	Examples of Correspondence	23
	Standard Acknowledgment Letter to Complainant	23
	Standard Form for Inmate Complaint.....	24
	Sample Admonishment Cover Letter to Agency for Fact Check	26
	Sample Letter to Agency Regarding the Final Report.....	27
Appendix E	Examples of Forms	28
	Admonishment and Oath	28
	Admonishment for the Clerical Personnel.....	29
	Interview Form	30
	Exit Form	31
	Grand Jury Complaint Form.....	32
	Sample Complaint Log.....	34
Appendix F	Examples of Civil Enquiries.....	35
Appendix G	Cumulative Index 1980-2003.....	38
Appendix H	Five year Agency Review.....	52
Appendix I	Index of Legal Opinions	54
Appendix J	Superior Court Standing Order	56

Appendix A Final Report Format

The Grand Jury Final Report

A. Purposes

To guide, oversee and publish the preparation of grand jury reports.

B. Definition of Reports

1. All reports proposed for adoption by the grand jury on individual cases.
2. The grand jury's final report.

C. Criteria for Grand Jury Reports

1. Primary audiences: the residents of San Luis Obispo County and reported agencies.
2. A common format:
 - a. of required content topics, types of information for inclusion and organization.
 - b. for ensuring consistency for stating:
 - (1) fact-based findings and
 - (2) recommendations.
3. A common style consisting of rules with respect to such items as:
 - a. paper margins
 - b. type style: font, size, use of bold, underlines and italics
 - c. spacing: draft and final
 - d. grammar (including spelling)
 - e. voice: active vs. passive
 - f. use of acronyms
 - g. use of tables and other graphics
 - h. use of statistics

- i. use of references
 - j. use of footnotes
- k. use of headers, footers and gutters
- l. pagination
- m. word-processing software (and any other relevant software)
- 4. A process of writing, review and and finalizing that ensures the timely completion of all reports.
- 5. Report writing:
 - a. Text that is accurate, logical, clear, understandable, readable, non-inflammatory, legally acceptable and and protective of privacy
 - b. Findings and recommendations:
 - i. Findings based on verified facts. (PC§939.7)
 - ii. All recommendations clearly tracking back to the findings

D. Responsibilities: Committees, Independent Readers and Full Grand Jury

- 1. The full grand jury has ultimate authority with respect to report writing and approval.
- 2. The committees have authority for report writing consistent with the grand jury's adoption of the report format, style manual and the process of writing, review and finalizing that ensures the timely completion of all reports.
- 3. The foreperson and/or independent readers (IR) have the responsibility to ensure the application of the grand jury-approved report format, style manual and the process of writing, review and finalizing that ensures the timely completion of all reports. They can only comment to the committees and to the full grand jury with respect to report accuracy, logic, clarity, understandability, readability, non-inflammatory language, legal acceptability and protective of privacy; fact-based findings and the finding-conclusion-recommendation linkage.

The Report Cover

Presents the following information in big type:

**[California State Seal]
Final Report of the
2005 - 2006 San Luis Obispo County
Grand Jury**

First Inside Page

Repeats the information on the report cover page and adds the date of issuance, address, phone number and web site.

Grand Jury Letter to the Community

(Note: Begins on a new page on grand jury letterhead.)

This letter, signed by all grand jury members, certifies to the court and the community that each case received the statutorily required number of votes, in San Luis Obispo County, a majority of twelve of the nineteen jurors (PC§916 and 940). The letter may want to add other items to stress the significance of the report, but should exclude findings, conclusions and and recommendations. A “thank you” might be acceptable, but not necessary. The following illustrates the proposed format for signatures:

Name, Foreperson, City

Name, City

Name, Foreperson Protem, City

Name, City

Name, City

Name, City

Name, City

Name, City

Index

(New Page)

Includes the titles of the each individual report, other report sections and the page numbers.

Response Requirements to this Report's Findings and Recommendations

(New Page)

Publish verbatim the appropriate text from California PC§933 and 933.05 with respect to the required responses to each report's findings and recommendations to the presiding judge of the superior court.

Reports (See Figure 1 for report flow)

(New Page)

- Reports require responses on findings and recommendations by agencies, officials and governing bodies.
- A report that is intended to educate the public about an organization, program, issue, etc. and does not have findings and recommendations does not require comments by agencies, officials, or governing bodies.

Each report will begin on a new page. The grand jury will determine the order of reports.

Title

Choosing a Title

In a short sentence or phrase, the title should summarize the most important feature of the case to stimulate interest. That feature might be:

- The main finding. For example, "The Fire Chief Permitted Unauthorized Persons to Operate Official Vehicles."
- The main recommendation. For example, "The Board of Supervisors Should Authorize Two More Field Officers for the Animal Control Shelter."
- The main method used to conduct the investigation of the case. For example, "A Comparative Analysis of Trustees' Travel, Meal and Entertainment Expenses in Four School Districts."
- The main emphasis of the case. For example, "The Vollmer Men's Facility Menu for Inmates."

- The scope of an audit. For example, "A Review of the Smithson Unified School District's Procurement Practices."
- The name of the agency or organization investigated. For example, "Office of the Hamilton County Superintendent of Schools." This would be our last choice, since it doesn't stimulate interest.

Summary (preferred but optional)

Provide a short summary of the investigation. Busy readers will probably use this section to decide whether to continue reading further.

Origin

Describe how the need for the case came to the grand jury's attention (e.g., own initiative, a complaint/suggestion from a citizen, public official, or someone else). Don't include confidential or secret material.

Authority

Describe how the grand jury concluded that it had sufficient justification for conducting the inquiry. Identify the statute or statutes on which the inquiry was based. Quote the section. A vague statement such as "pursuant to PC§925" is insufficient.

Method

Details the important elements of the case. As in a newspaper article: who, what, why, where and when. State the grand jury's opinion as to the significance of the case and its implications for the community. In chronological order, summarize: the major phases of the investigation, including possible causes of problems under investigation; the possible consequences of the investigation, such as harm to citizens, unnecessary expenditures, potential property damage, implications for employee morale and turnover; and obstacles encountered.

Narrative

Gives a general description of the activities, observations and facts.

Findings, Appendices, Conclusions and Recommendations

Findings

Summarize the steps taken to verify the accuracy of facts and findings and the legality of recommendations. For example:

- verification of facts by at least two independent sources. (See PC§939.7)
- consultation with legal advisors.
- efforts taken to eliminate hearsay or unsubstantiated information obtained from interviews, questionnaires, etc.

Appendices (optional)

The credibility of a report is enhanced by including important documentation (e.g., tables, charts, graphs, copies of laws and regulations, business correspondence and memoranda include supporting materials, if any) excluding confidential or secret material.

Conclusions

Defined by the American Heritage Dictionary as:

1. The close of last part: The end or finish
2. The result or outcome of an act or process
3. A judgment or decision reached after deliberation (i.e.: a finding)

Recommendations

For each recommendation, there must be a clear linkage to one or more findings that led to appropriate conclusions.

Make the necessary connection by organizing the findings, conclusions and recommendations around issue sets. If you can, state the issue as a question.

Each recommendation shall include suggested means for their resolution, including financial, when applicable. (See PC§916)

Comment Requirements

Identify the agency or official and the governing body who must comment on the findings and recommendations and state when the comments are due and to whom they are to be made. Reference PC§933 to help officials understand their statutory duty to prepare and submit comments.

Current Year Grand Jury Activity (optional)

(New Page)

Routine inspections, tours and interviews are defined as those that result in no findings or recommendations. In many situations, these events were part of the grand jury basic education process. Since we swore no one in nor are making any comment, there should be no confidentiality requirements.

Providing this information in a separate section:

- Conserves the time of readers who may not be interested in reading accounts of relatively minor matters.
- Reduces the size of the final report, thereby making them seem less formidable.
- Focuses more attention on the findings and recommendations of the case reports.
- Still allows us to document the considerable effort of the grand jury.

Orientation and Education (optional)

Each grand jury will include the relevant activities that were attended or participated in through out the year.

Organization and Procedures (optional)

The purpose of this section is to account to the public for grand jury deliberations over the year, giving readers a comprehensive view of how time was spent.

Implementation of Recommendations of the Previous San Luis Obispo County Grand Juries (optional)

(New Page)

Each year, the sitting grand jury follows up on the implementation of recommendations made by previous grand juries. The purpose of this section is to account to the public, how agencies have responded.

Condensed Version of the Final Report for Area Newspapers (optional)

The grand jury may elect to provide a condensed version of the final report to area newspapers to:

- limit copying costs,
- allow the general public an opportunity to read a short version of the report and
- provide information about where the report may be obtained.

Report Format Examples

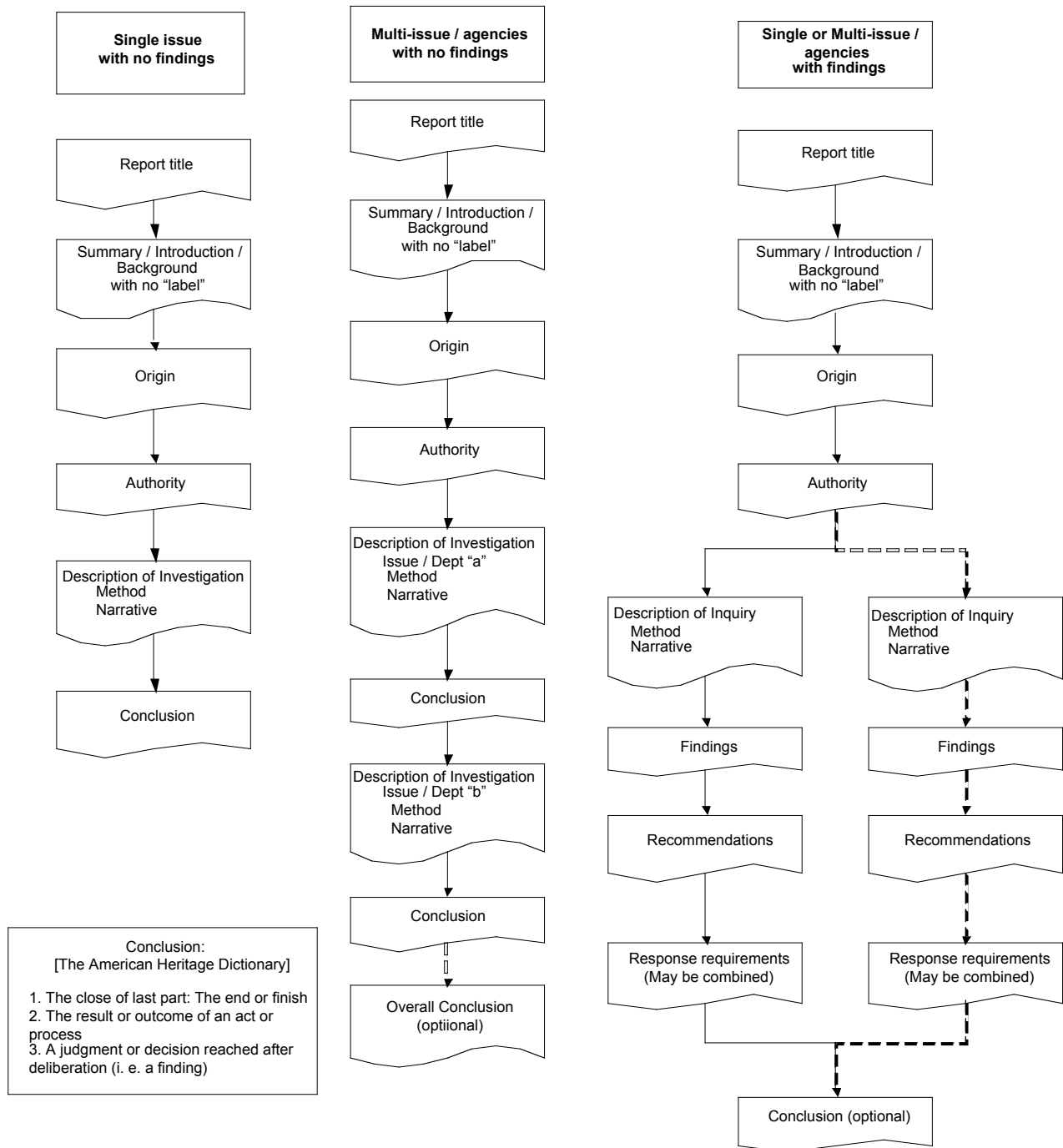


Figure 1

Appendix B Style Manual

The purpose of this style manual is to ensure consistency in the writing and production of all grand jury reports in order to produce a high quality final report.

A. Computer Software

1. Word-processing: Microsoft Word
2. Other: All other software (for importing or translation) must be compatible with Microsoft Word.

B. File Naming

1. File names should be descriptive but not too long.
2. File names must be all lower case with no embedded spaces. Use the hyphen or underscore characters to separate parts of the filename for readability.
3. Examples:
 - a. Wrong:
`County Balloon Inflation Authority.doc`
 - b. Correct:
`county-balloon-inflation-authority.doc`
`county_balloon_inflation_authority.doc`

C. Page Setup (from the Microsoft Word Page Setup Menu)

1. Margins
 - a. 1-inch TOP, BOTTOM, LEFT, RIGHT.
 - b. No mirror margins.
 - c. Header and footer 0.5-inch from edge.
2. Layout
 - a. Don't check different 1st page.
 - b. Uncheck different odd/even pages (if checked).
3. Line Numbers. This helps immeasurably in review of drafts. (Use for drafts only.)
 - a. Start at #1.
 - b. Continuous numbering.

D. Typography

1. Font: Times, with **Arial** for headings.
2. Font size: The size for text is 12 point. Headings may have a larger font sizes.
3. Use of font options—bold, underline and italic: use sparingly.

E. Text Alignment

This refers to whether the writing is left, right, centered, or justified (distributing characters/words on each line to produce equal left-right margins). Some headings are centered.

F. Spacing

1. Between Paragraphs: One blank line.
2. Between sentences: Two spaces.
3. Lines:
 - a. Draft reports: double space to facilitate editing.
 - b. Final reports: One and one half space.

G. Selected Grammar Rules (addressing areas where inconsistencies among writers are likely)

1. Commas in a series: A comma should not precede the final "and" as in "The colors are red, white and blue."
2. Capitalization:
 - a. Of organizations and political units. Capitalize if stating the official name: e.g., San Luis Obispo County, City of Atascadero, Department of Social Services. Do not capitalize if "county," "city," etc. if using alone or as an adjective.
 - b. Of Personal Titles: Capitalize if used immediately preceding or following a name: e.g., "City Administrator Ken Hampian," "Ken Hampian, City Administrator." Do not capitalize the titles when used alone: e.g., "the city administrator of San Luis Obispo."
3. Italicized Type: Use for documents, laws and regulations referenced: e.g., DSS Administrative Handbook, Public Law 95-680.
4. Quotations: Use only to quote verbatim from a document or testimony.

5. Numbers in text:
 - a. Spell out a number of any size (e.g., Two, Three) when it begins a sentence, or recast the sentence.
 - b. Spell out the numbers 0 through 9 (e.g., zero, one, nine) in the text with one exception (see "d" below).
 - c. Use the actual number for all numbers over 10: (e.g., 11, 134, 175, 900).
 - d. Put a zero before the decimal point of a decimal fraction (e.g. 0.75 not .75).
 - e. In sentences using numbers over and under 10, use the actual numbers (e.g., 2, 12, or 134).
6. Abbreviations and Acronyms:
 - a. Abbreviations are shortened forms of a word or phrase—the first letter capitalized with a period at the end of the last letter e.g., "Dept." for "Department". Generally, public reports should not use excessive abbreviations.
 - b. Acronyms are words made up of initials or syllables from a group of words (e.g., "SLO" for "San Luis Obispo").
 - 1) Use acronyms only to save space and aid comprehension.
 - 2) Use acronyms sparingly. A report with many acronyms can be confusing and appear very bureaucratic.
 - 3) Don't make up acronyms.
 - 4) The general rule is that when you use an acronym, spell out the full name the first time you use it, followed by the acronym in parentheses; e.g., "Children's Welfare Services (CWS)."
 - 5) If you're only going to use an organization's name once, don't put the acronym in parentheses.

H. Voice

1. Definitions:
 - a. Active voice: Grammatically, the active voice is used when the subject is the agent performing an action.
 - b. Passive voice: The passive voice is used when the subject is the recipient of the action or there is no stated recipient of the action. A sentence using the passive voice usually contains some tense of the verb "to be" along with the action verb. Examples:

Active	Passive
The public works garage does some repair work on heavy equipment for other county departments.	Repair work on heavy equipment is done by the public works garage for other county departments.
DSS should empower the Standing Review Panel to interview complainants and county employees.	The Standing Review Panel should be empowered to interview complainants and county employees.
DSS gives the Service Satisfaction Brochure to new clients coming into the Children's Welfare Services system.	New clients coming into the Children's Welfare Services system are given the Service Satisfaction Brochure.
The grand jury examined, through detailed and deliberative interviews, 15 complainants and their witnesses.	Arrangements were made for 15 complainants and their witnesses to be examined through detailed and deliberative interviews.
The grand jury emphasizes that, overall, the employees of the Department are qualified, well educated and exhibited dedication.	The grand jury wishes to emphasize that overall, the employees of the Department were found to be qualified, well educated and exhibited dedication.

2. General Rule: Use the active voice. It is simpler and more direct. It conveys greater force, greater speed and greater vigor. It clearly assigns responsibility. In some cases, it is shorter. The passive voice, used without cause, tends to weaken the writing. Read just about any government report and you'll see what we mean.
3. Possible exceptions. There may be times when the passive voice is desirable:
 - a. When the agent performing the action is too unimportant or too obvious to mention and is less significant than the recipient of the action. For example, "the mail was delivered at 11 o'clock this morning."
 - b. When the agent performing the action is unknown. This would be very rare.
 - c. When the intention is deliberately to avoid strong language.

I. Report Readability

1. Readability is the ease in understanding a style of writing. A large percentage of our population reads at or below the 9th grade level. The reading level of Time magazine is around 8.0.
2. The Microsoft Word program allows us to check our texts for readability. Put your cursor at the beginning of the document. Go to the tools menu and click on "Spelling & Grammar." Then click on "options." Check the box "show readability statistics." Then check OK.
3. Your spelling/grammar check of the document will then give you readability statistics:
4. Counts of words, characters, paragraphs and sentences.

5. Averages: sentences per paragraph, words per sentence and characters per word (all of which affect readability).
6. Readability: percentage of passive sentences, Flesch Reading Ease Score (100-point scale, the higher the number the easier the readability) and the Flesch-Kincaid Grade Level score.
7. Grand jury report readability goals:
8. Flesch Reading Ease: 60 or higher (8th-grade level), or
9. Flesch-Kincaid Grade Level: no higher than 8.0 to 9.0.
10. Qualifications: Readability tests are only guides. They are not 100-percent accurate. They don't test logical order of words, sentences, or the document as a whole. They don't measure good style.
11. Guidelines to help improve readability:
 - a. Define unfamiliar or technical words and/or explain them with examples. Use them again to make them more familiar to the reader.
 - b. Use shorter words. For example, use "do" instead of "accomplish"; "about" instead of "approximately." However, use discretion; you don't want to replace a longer but clearer word with half a dozen shorter words.
 - c. Substitute compact words for more wordy phrases. For example, use "many" instead of "large number of."
 - d. Use shorter sentences along with longer sentences. You can usually break down long complex sentences, but don't do so to the point of chopiness. The goal is to lower the average sentence length.
 - e. Use shorter paragraphs.
 - f. Use the active voice, not the passive voice.
 - g. Use positive statements. For example, "Practice safe pesticide application" is clearer than "Don't practice unsafe pesticide application."
 - h. Use simple and definite examples to explain concepts.

J. Use of Tables and Other Graphics

1. If tables or other graphics would better help people understand concepts, findings, or other statements than lengthy text, interpret and use them.
2. Make all graphics simple, presenting only relevant material.
3. Questions about graphics you intend to use should be resolved by the grand jury.

K. Headers, Footers and Gutters

1. Header: For each draft, type in the draft #, the date (e.g., 10/12/02) and the case #. Center the header.
2. The headers of the final report will have the individual report name italicized and left-justified.
3. Footer: Use the footer for pagination. Center the footer and click on the automatic page number icon, starting at "1."
4. Gutter: A gutter would be to the left of your left-hand margin. Some people use gutters to include highlight text. Don't use gutters.

Fact

Something demonstrated or documented to exist or to have existed. Examples: documented, verifiable raw statistics; documented events and actions; people; property; things; dates.

Finding

An objective, nonjudgmental statement (usually one sentence) indisputably inferred from one or more facts. For the grand jury, the following examples of qualifiers and their derivatives should never appear in *Findings* because they are judgmental and—if used at all—should be in *Conclusions*.

We must reserve judgments for our conclusions.

It is important that we give no one the opportunity to say that: The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore. (See PC§933.05).

Use of an Interviewee's Statement(s) in a Finding

This is a gray area that committees and the grand jury should decide on a case-by-case basis. Committees should have documentation for every such statement to make it something demonstrated, documented to exist or to have existed. Remember, findings must be based upon facts—which we are able to verify.

Use of Percentages in Findings

Percentages based on surveys or random interviews should be avoided. A statement such as:

“Of those surveyed/interviewed , 83% could not answer questions about the new complaint procedure.”

Is meaningless without providing a detailed statistical analysis of: how the survey was conducted; how many questionnaires were sent out (and the response rate); how many interviews were conducted; and how were the questions phrased.

On the other hand, percentages based upon hard data can be useful in a finding. For example:

“The grand jury reviewed the jail population for the year and found that it was overcrowded on 56% of the weekends.”

Recommendation

The grand jury's advice or counsel for change based on *findings* with respect to procedures, books, records, accounts and methods—but not policy (including legislation). If the conclusion is positive, you presumably would make no recommendation.

Bruce T. Olson's *Grand Juries in California, A Study in Citizenship* (published by the American Grand Jury Foundation in 2000) says that a policy recommendation would:

- be a matter about which elected officials would deliberate and vote at a public meeting;
- involve broad social, political, or economic issues or values;
- deal with WHY, rather than HOW, something is being done or not done; and/or
- be the topic of something that a candidate would include in an election campaign platform.

Procedures, Books, Records, Accounts and Methods

- Ways of performing or effecting something.
- Steps taken to accomplish an end.
- Ways for conducting organizational affairs.

Examples of Questionable Recommendations

We take these examples (8 out of 53) from a prior year's grand jury report.

The Board of Supervisors should seek funding in order to begin construction to replace outdated and crowded jail facilities.

Comment: This is a policy issue.

The Board of Supervisors should pursue other options for funds to ensure that the Juvenile Services facility is adequately expanded and updated.

Comment: This is a policy issue.

The Board of Supervisors should approve funding for the Standing Review Panel as deemed necessary.

Comment: This is a policy issue.

Decisions to prepare an EIR should remain at the discretion of the SLO County Environmental Coordinator and not be perceived as a political decision by the Board of Supervisors.

Comment: This is a policy issue.

Supervisors should give more consideration to the recommendations of the Planning Department in their final decisions on all proposed developments and General Land Use amendments.

Comment: This is a policy issue.

Term limits should be considered for the SLO County Supervisors.

Comment: This is a policy issue.

Those wishing to be heard at a meeting of the Board of Supervisors and the CSD boards should make an effort at becoming familiar and understand all aspects of an issue before making public comment.

Comment: Why make such a recommendation, since no response is required?

The public should not indulge in endless repetition of a point.

Comment: Why make such a recommendation, since no response is required?

Appendix C: Reports Timeline

			COMMITTEE OPTIONS:										
REPORT STATUS:	Committee	Case Plan Approved	Multiple Drafts	Foreperson Input	Independent Reader(s)	Committee to Grand Jury	Grand Jury for Vote	County Counsel	Agency Review	Court	Repro	Agency Distribution	Public Distribution
						-55	-49	-42	-35	-21	-14	-2	0
Case A:	C&C	9/15/05				1/19/06	1/25/06	2/1/06	2/8/06	2/22/06	3/1/06	3/13/06	3/15/06
Case B:	SP	9/22/05											
Case C:	HSS	9/22/05											

CONFIDENTIAL

Checklist for Grand Jury

Checklist for Presenters/Interviewees and/or Requests for Documents (SAMPLE)

Suggested use of this chart is to track tasks associated with interviews or requests for documents.

Phone Log would note the date called and responses.

Interview would note if a subpoena was needed, requested and served.

Documents would note what interviewee was asked to bring or provide.

Instructions would define conditions of the interview, such as appearing alone or with staff, length, and if to be admonished.

Name:	Phone Log:	Interview:	Documents:	Instructions:	Thank you Ltr?

Appendix D Examples of Correspondence

Standard Acknowledgment Letter to Complainant



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Date

Dear,

The Grand Jury has received your letter dated . The Grand Jury's review in this matter does not mean that we will conduct a full investigation of your complaint.

You may not receive any further communication from the Grand Jury. By law, the Grand Jury cannot communicate the results of investigations to you personally. Reports are available to the general public when published, generally at the conclusion of the Grand Jury's term in June.

Please note that the San Luis Obispo County Grand Jury has no jurisdiction or authority to investigate Federal agencies, State agencies, or the Courts.

Sincerely,

Foreperson

San Luis Obispo County Grand Jury



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Standard Form for Inmate Complaint

RE: AUTHORIZATION FOR RELEASE OF INFORMATION

Date: _____

Dear Mr. _____,

The Grand Jury is in receipt of your complaint dated _____. If the Grand Jury decides to investigate your complaint, it may be necessary to divulge to correctional authorities your name and other information you provided in order to conduct our inquiry. If you agree to our releasing this information, please indicate so by signing and dating the waiver below and returning this form to:

San Luis Obispo County Grand Jury
P.O. Box 4910
San Luis Obispo, CA 93403

Sincerely,

_____, Foreperson
2005-06 Grand Jury
805-781-5188

I understand that complaints to the Grand Jury are confidential. I hereby agree to waive my confidentiality rights, if necessary, to enable the Grand Jury to fully investigate my complaint.

Signature: _____ Date: _____



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Standard vacate letter to complainant

Date

Dear,

The San Luis Obispo County Grand Jury reviewed your complaint and all the information you provided us. The limited time available to the Grand Jury and the duties placed upon it by California Law, require the establishment of priorities. The Grand Jury will not take further action on your request. Your information, however, may be considered in our review of related matters.

Be assured that your identity will be known only to the Grand Jury. We are sworn to secrecy to ensure confidentiality of your identity and any information you may have supplied to us.

Please note that the San Luis Obispo County Grand Jury has no jurisdiction or authority to investigate Federal agencies, State agencies, or the Courts.

Sincerely,

Foreperson
San Luis Obispo County Grand Jury



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Sample Admonishment Cover Letter to Agency for Fact Check

(Date)

Attn: (Name)

(Agency)

(Address, if not county agency)

Re: Grand Jury Mid-Term Final Report

“(Name of Report)”

The Grand Jury is providing you a copy of the attached report and requests that you review it for factual accuracy only. Please sign and return one copy of this letter to acknowledge your receipt of the report. Members of the Grand Jury will contact you within several days to retrieve this copy of the report along with your input. You may not copy or share this report with others at this time. You will receive a final copy of the report no less than two days before the report is released to the public and the media.

California Penal Code (PC) §933 (a) states: “A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title.” PC §933.05 (e) states: “During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.”

In order to insure confidentiality, in accordance with Attorney General Opinion No. 02-1108 dated June 6, 2003: “You are admonished not to reveal to any person, except as directed by the court, which questions were asked or what responses were given or any other matters concerning the nature or subject of the grand jury’s investigation which you learned during your appearance before the grand jury, unless and until such time as the transcript (if any), or a final report, of this grand jury proceeding is made public or until authorized by this grand jury or the court to disclose such matters. A violation of this admonition is punishable as contempt of court.”

Agency / Department Head

Date

Foreperson
San Luis Obispo County Grand Jury

Date



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Sample Letter to Agency Regarding the Final Report

(Date)

Attn: (Name, Title)

(Agency)

(Address, if not county agency)

Dear

The San Luis Obispo County Grand Jury has completed a review of "*insert name of report.....*". The attached copy of the grand jury report is being provided to you two days in advance of its public release, as required by California Penal Code (PC) §933.05 (f), which states:

A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Your attention is especially directed to the requirement that this report be kept confidential until its public release by the grand jury.

California PC § 933.05 (c) also requires that the governing body of the public agency concerned shall respond to the findings and recommendations of the grand jury report within 60 days (or 90 days, whichever applies) from the above date. Please address your response directly to:

Presiding Judge
San Luis Obispo County Superior Court
County Government Center
San Luis Obispo, CA 94408

Should you have any questions, please contact the San Luis Obispo County Grand Jury at 805/781-5188.

Respectfully,

Foreperson, 2005-06 Grand Jury

Appendix E Examples of Forms



GRAND JURY

PO BOX 4910
SAN LUIS OBISPO, CALIFORNIA 93403

Admonishment and Oath

“You are admonished not to reveal to any person, except as directed by the court, which questions were asked or what responses were given or any other matters concerning the nature or subject of the grand jury’s investigation which you learned during your appearance before the grand jury, unless and until such time as the transcript (if any), or a final report, of this grand jury proceeding is made public or until authorized by this grand jury or the court to disclose such matters. A violation of this admonition is punishable as contempt of court.”

“You do solemnly swear or affirm, that the evidence you shall give in this issue, pending before the grand jury shall be the truth, the whole truth and nothing but the truth. (Code Civ. Proc., Section 2094)”

I have read and received a copy of the foregoing admonition and oath.

Interviewee: _____ Date: _____

Witness juror

Witness Juror

Admonishment for the Clerical Personnel

Re: Grand Jury Confidentiality

Admonishment regarding the confidentiality of Grand Jury business for any clerical personnel who assist the Grand Jury in typing final reports, etc.:

“You are admonished that the business of the Grand Jury in general is confidential. To the extent that you become aware of the details of Grand Jury business in doing your job, you are admonished not to reveal to any person any matter concerning the nature of the subject of the Grand Jury’s business which you learned. Additionally, you are admonished that no person other than grand jurors shall be permitted to be present during the expression of the opinions of grand jurors, or the giving of their votes, on any criminal or civil matter before them. (PC939.)

I have read and received a copy of the foregoing admonition.”

Signature

Witness _____

Date: _____

Interview Form

Interviewer:

Today's date is

The time is

This is a meeting of the _____ Committee of the
County Grand Jury..

My name is

Other members of the Grand Jury present are:

We are meeting today to interview _____.

We want to assure _____ that matters discussed before the Grand
Jury are considered confidential. The Court swears us to secrecy.

We will be recording this interview for the grand jury's potential
future review. (Optional)

Interviewer:

Administer the admonishment / oath

Interviewer:

For the record, please state your full name, spelling the last name
and give your title or occupation.

Interviewee does so.

Interviewer:

I will be conducting the interview and other panel members will also be asking questions.

Interviewer opens the interrogation and the initial questions are asked
(Note: It is best to have the questions develop beforehand by the committee members. You should
compile and arrange the questions in a logical manner. Give each of your committee members
attending the interview the list of questions so that they can make comments on the sheet during
the interview.)

Exit Form

This form is to be completed by each Grand Juror at the conclusion of service on the Grand Jury due to resignation, termination or expiration of term.

I hereby certify that I have performed the following:

1. submitted my letter of resignation (if appropriate).
2. returned to the foreperson the Grand Jury Handbook issued to me.
3. destroyed all personal notes relating to any confidential Grand Jury study or investigation including computer files.
4. returned to the Grand Jury room any reference materials, unused supplies and parking permits.
5. returned to the foreperson all Grand Jury door and file keys issued to me.
6. completed Form FPPC 700 Statement of Economic Interest.

Date: _____

I hereby certify that I shall keep secret whatever I or any other Grand Juror has said or in what manner I or any other Grand Juror has voted on a matter before the Grand Jury.

Date _____

Signature

Grand Jury Complaint Form



GRAND JURY CITIZEN COMPLAINT FORM

(See back for preparation instructions)

TO: San Luis Obispo Grand Jury
P. O. Box 4910
San Luis Obispo, CA 93403

(Date)

THIS COMPLAINT IS AGAINST:

NAME/TITLE

ORGANIZATION

ADDRESS

CITY

PHONE

MY COMPLAINT AGAINST THE ABOVE IS:

(USE EXTRA SHEETS IF NECESSARY)

(FOR GRAND JURY USE ONLY)

COMPLAINANT

(Name)

(Address)

(Telephone Number)

(Signature)

ALL COMMUNICATIONS TO THE GRAND JURY ARE CONFIDENTIAL.

GJ-13 (1990)

I. The Grand Jury Citizen Complaint Form should be prepared after all attempts to correct a situation have been explored and were unsuccessful.

II. Instructions for preparing the Citizen Complaint Form:

1. This Complaint is Against:

- a. Include the name of the individual or organization the complaint is against. Ensure correct spelling of the name(s).
- b. If the complaint is against an individual in an organization, include the individual's title or position in the organization.
- c. Provide the street address (not a P.O. Box), city, state and zip code.
- d. The telephone number of the organization or individual cited should be included on the last line of this block.

2. My Complaint Against the Above Is:

- a. Describe the problem in your own words.
- b. Be as concise as possible, providing dates, times and names of individuals involved.
- c. Cite specific instances as opposed to broad statements.
- d. Attach any available photographs, correspondence or documentation which supports the complaint.
- e. If more room is required, attach extra sheets, and include their number on the last line of the first sheet (i.e. *3 additional sheets attached*).

3. Complainant (YOUR CONFIDENTIALITY WILL BE RIGOROUSLY PROTECTED):

- a. Include your name, street address, city, state, zip code and telephone number (area code also).
- b. Mail this complaint form to the address shown on the front.
- c. Please sign this complaint. (You may file an anonymous complaint if you desire; however, this may make it much more difficult for the Grand Jury to investigate the allegations.)

III. The Grand Jury will respond to your complaint and advise you whether or not an investigation will be undertaken.

IV. The Grand Jury may contact you during the conduct of an investigation.

Sample Complaint Log

Complaint #	Complainant /Received	Short Title	Action	Status

Appendix F Examples of Civil Enquiries

Examples of civil investigations conducted by California Grand Juries

1. Causes of absenteeism rates in particular local governmental departments.
2. Discrimination in hiring, supervision, termination.
3. Availability of low-income housing.
4. Contracts between local governments and between local governments and private vendors.
5. Existence of contingency budgets for fiscal crises.
6. Reasons for lapse of time between the occurrence of staff vacancies and filling them.
7. Methods of selecting members of citizen boards and commissions.
8. Adequacy of staffing in local government departments.
9. Systems for short and long range planning.
10. Effectiveness of interdepartmental communication.
11. Use of volunteer employees.
12. Accounting for reserve funds.
13. Methods of capital planning.
14. Extent of computerization.
15. Use of rental contracts.
16. Establishment of management information systems.
17. Records management and control systems.
18. Systems for performance evaluation.
19. Methods for coordinating top-level managers.
20. Procedures for audits of discretionary funds (e.g.; expense accounts, Sheriff's "Buy Fund," etc.).
21. Procedures for determining security of buildings.
22. Safety and plant maintenance programs.
23. Methods for establishing fair fees for services.
24. Accessibility to public buildings by disabled or handicapped citizens.
25. Suitability of office planning and design for confidentiality.
26. Joint sharing of resources among local governments.
27. Overlapping of responsibility among local governments for providing services.
28. Systems for reviewing performance of private contractors.
29. Methods of vehicle maintenance and control.
30. Round-the-clock use of facilities.
31. Existence of current operating procedures manuals.
32. Compliance with employment standards.
33. Procedures concerning top administrators being available or absent at the same time.
34. Appropriate use of enterprise accounting systems.
35. Adequacy of systems to control checkbooks, bank statements and signatures on checks.
36. Purchasing, receiving and inventory procedures.
37. Use of private janitorial services.
38. Relationship between job descriptions and work actually performed.

39. Health services for confined persons.
40. Adequacy of jail emergency and systems security.
41. Extent of use of private consultants and their relationships with local governments.
42. Replacement of obsolete or unsafe equipment
43. Centralization vs. decentralization of computer equipment
44. Adequacy of building maintenance and repair programs.
45. Procedures for bidding.
46. Adequacy of system for evaluating effectiveness of local government services and programs.
47. Intergovernmental charges for services.
48. Causes of high turnover rates.
49. Equitable delivery of services throughout the community.
50. Methods of collection and handling overdue collections.
51. Prisoners' rights compliance.
52. Existence of career development programs.
53. Minority recruitment and retention procedures.
54. Existence of written procedures to handle sensitive incidents.
55. Causes of delays in the criminal justice System.
56. Release-on-own-recognizance programs.
57. Adequacy of capacity of juvenile hall
58. Recruitment of volunteers for juvenile services. Relationship between workload and productivity.
59. Workload and delegation practices of the Board of Supervisors.
60. Existence of means for county and cities to resolve mutual problems.
61. Whether posted agendas of local boards provide adequate information.
62. Systems for reviewing adequacy of management performance.
63. Methods of promoting employees.
64. Extent of nepotism in local government.
65. Inclusion of safety employees in low-risk jobs in more liberal retirement systems.
66. Auditing of retirement funds.
67. County audit contract: method of bidding and scope of audit.
68. Adequacy of internal audit procedures.
69. Procedures local government bodies use to inform newly elected members about the Brown ct law.
70. Compliance of local government departments with collection procedures.
71. Use of property lien procedure for collections.
72. Procedure for determining uncollectible accounts.
73. Security procedures for dispatch center and other services.
74. Consolidation of fire districts and other county functions.
75. Adequacy of civil defense training and preparation plans.
76. Review and updating joint powers agreements.
77. Review local government contract and lease agreements.
78. Collection practices in public defender and district attorney programs.
79. Relationships between local governments and non-profit corporations.
80. Maintenance and upkeep of Parks and Recreation areas.
81. Methods of education of senior population about alcohol problems and treatment.
82. Garbage disposal practices.
83. Systems for inventorying property which local government owns.

84. Determining how much real property local governments own and whether it should be retained.
85. Reviewing intake practices of child welfare services.
86. Inventory of advisory appointed by local governments.
87. Examining activities of advisory groups and controls over their policy setting.
88. Makeup of citizen advisory bodies.
89. Existence of accurate, current organization charts.
90. Methods of monitoring fines and overdue payments for library.
91. Organization, administration and costs of public defender services.
92. Clarity of budget formats and methods used to help citizens understand the budget process.
93. Existence of personnel manuals and appropriate updated as approved by the Civil Services Personnel Commission.
94. Rates charged for rentals (i.e.) Community Services (i.e.) Boy Scouts, Girl Scouts, Youth oriented organizations vs. Profit oriented applicants.
95. Procedures for setting priorities to obtain low-income housing.
96. Adequacy of emergency and disaster planning
97. Insurance coverage of local governments.
98. Procedures for providing services to Medicare indigent persons.
99. Coordination of separate but related services.
100. Review systems which local government uses to train employees to serve the public.
101. Review local government development agencies, examine makeup of advisory boards and determine who are beneficiaries of redevelopment projects.
102. Joint purchasing systems for small local governments.
103. Pooling of risk management programs.
104. Sharing of specialized equipment among local governments.
105. Rotation of firms conducting audits.
106. Cross-certification of specialized workers (e.g., agricultural personnel and eight and measures personnel).
107. Pilot programs for assisting welfare recipients to prepare Federal and State income tax.
108. Extent to which local governments use non-profit agencies to provide services.
109. How the county charges for services it provides to special districts.
110. Existence of and possible uses for vacant buildings.
111. Existence of a formal investment procedure for local governments.
112. Adequacy of procedures for purchasing, accounting and safekeeping of investments.
113. Are public offices convenient for citizens and open at appropriate hours?
114. Methods local governments use to control and monitor contracts between departments and vendors.
115. Local government use of non-conventional "creative financing" methods such as certificates of participation.

Appendix G Cumulative Index 1980-2003

Published Final Reports

The following list includes all reports issued by the Grand Jury between 1980 and 2003. The reports are listed under the year of the Grand Jury that issued the report, whether it was a Interim Report (IR), Final Report (FR) or Recommendation (REC) and page number if applicable.

Example: A report was done regarding Legal Advertising as a Final Report. It appears in the 1980/81 Grand Jury Final Report on page 51. It is therefore listed as follows.

	Year & Page
ADVERTISING	
Legal Advertising	80-81 FR 51
ADVISORY BOARDS AND COMMISSIONS	
Advisory Group Review	85-86 FR 5
AGRICULTURE	
Agriculture Commissioner	82-83 FR 3
Farm and Home Advisor	82-83 FR 3
AIR POLLUTION	
Air Pollution Control District	83-84 IR 7
Unhealthy Air	93-94 FR P-5-1
AIRPORTS	
SLO Airport Administration	83-84 IR 8
SLO Airport, Handicapped Access	84-85 IR, 1,25
SLO Airport Operation	92-93 FR AD 11-1
SLO Airport Operation and Planning	96-97 FR 10
	00-01 FR 143
SLO Airport Parking	84-85 FR 4 IR 2,27
Parking Fees	88-89 FR 7
Airport Sign	91-92 FR 92
AMBULANCE SERVICE	
Award of Contract for South County Area	97-98 FR 29
Ambulance Rates	88-89 FR 32
Ambulance Service Contract	95-96 FR 47
ANIMAL REGULATION	
Personnel Attitudes	82-83 FR 4
Department Firearms	83-84 IR 4
Department Use of Firearms (see Firearms)	86-87 FR 1,IR 2

Response to Public Inquiries	88-89 FR 07
Investigation of the Department	93-94 FR AD 101
ASSESSOR	
Needs of Tax Assessor	82-83 FR 5
County Assessor's Office Investigation	83-84 FR 9
Assessor's Response to Survey	84-85 FR 04
Legality of Property Tax	88-89 FR10
Assessment Practices Survey	89-90 FR 2
Assessment of the City of Paso Robles	95-96 FR 10
Review of Management and Functions	95-96 FR 52
Protecting New Property Owners - Weed Abatement Costs	99-00 FR 143
AUDITOR/CONTROLLER	
Auditor/Controller Personnel and Procedures	82-83 FR 7
Auditor's Department Review	85-86 FR 16
	86-87 FR 8
Limitations of Computerized Information's System	91-92 FR 45
Pension Trust Retirement Plan	94-95 FR 81
	REC 10
AUDITS	
Difference: Financial Audit & Management Analysis	80-81 FR 57
County Government Audit	82-83 FR 6
	88-89
Government Center Cost	82-83 FR 6
	82-83 IR 10
	87-88 FR 8
Use of Certificates of Participation	92-93 FR AU 2-1
Board of Supervisors' Salaries and Expenses	83-84
Cities' Compliance with Audit Recommendations	93-94 FR 20
BILLBOARD	
Inventory of Billboards and Signs	89-90 FR 26
BOARD OF SUPERVISORS	
Meeting Agenda	80-81 IR 36
Favoritism	88-89 FR 3
Management Analyst(s)	90-91 FR 48
Monitoring & Curtailing Public Discussion	92-93 FR AD 5-1
Salary Structure	91-92 FR 4
CABLE TELEVISION	
Falcon Cable TV	89-90 FR 15
Capital Projects Cost Management	89-90 FR 3
Cable TV Rates	90-91 FR 37
CHILD WELFARE (ALSO SOCIAL SERVICES)	
Child Protective Services	80-81 IR 18
	85-86 FR 20
	85-86 IR 3-35
	87-88 FR 20
	93-94 FR H 3-1
Child Protective Services\Foster Parents	83-84 IR 5
Consultant's Report	85-86 FR 44
Group Homes	87-88 FR 13

Youth Intervention Services	99-00 FR 45
CITY OF ARROYO GRANDE	
Zoning Enforcement	89-90 FR 38
CITY OF ATASCADERO	
Eagle Creek Development	98-99 FR 5
The Mackey Project	99-00 FR 1
CITY OF MORRO BAY	
Use of Special Funds	96-97 FR 6
	00-01 FR 139
CITY OF PASO ROBLES	
Orchard Bungalow Assessment District	00-01 FR I
CITY OF PISMO BEACH	
Commercial Property Dispute	89-90 FR 10
Administration of Policies, City of Pismo Beach	87-88 IR 1
	87-88 FR 2
Planning and Building Department	90-91 FR 45
City Council	94-95 FR84 REC 10
Redevelopment Agency	94-95 FR 92
CITY PLANNING AND ADMINISTRATION	
Commentary	95-96 FR 8
CIVIL SERVICE	
Applicant Rejection Appeal Procedure	80-81 IR 34
Handling of Paul Floyd Case	89-90 FR 8
	90-91 FR 4
Circumvention of Rules	80-81 FR IR 12
CLERK-RECORDER	
Information Requirements for Mechanics Lien	93-94 FR AD 6-1
CODE ENFORCEMENT	
Enforcement of Codes and Ordinances	83-84 FR 05
Building and Health Code Violation	84-85 FR 23
COLLECTIONS	
Collection Agency for County Departments	83-86 FR 3
Central Collections	92-93 FR AU 5-1
COMMUNITY SERVICE DISTRICTS	
California Valley Community Services District	99-00 FR 137
California Valley CSD Board of Directors	90-91 FR 23
	90-91 IR 26
	92-93 FR AU-4-1
Cambria Community Hospital District	81-82 FR 61
Cambria Community Services District	92-93 FR AU- 1
Cambria Community Services District Utility Fees	93-94 FR AU 2-1
Cambria CSD - Waste Disposal	01-02 FR
Community Services and Special Districts in SLO County	99-00 FR 149
Oceano Community Services District	87-88 FR 5
Oceano Community Service District - Personnel Grievances	97-98 FR 40
Oceano Community Services District Weed Abatement Procedure -	95-96 FR 31

Non Elective voting in CSD's	01-02 FR
CONFLICT OF INTEREST	
Public Officials	89-90 FR 1
Community Services District	92-93 FR AD 2-1
CONTRACTS	
Contracts for Professional Services	87-88 FR 3
CORONER'S OFFICE	
Child Death Procedures	85-86 FR 71 IR 4, 99
COUNTY ADMINISTRATION	
Standardization of County Stationary	89-90 FR 35
County Office Staffing	82-83 FR 2
District Attorney's Office	94-95 FR 35 REC 03
District Attorney-Handling Cases	92-93 FR L 3-1
Employee Turnover	90-91 FR 10
Growth of County Government	91-92 FR 8
COUNTY OFFICES	
County Government Center	81-82 FR 20
COUNTY ORGANIZATION	
Consolidation of Clerk & Recorder's Office	80-81 FR 52
Span of Control	91-92 FR 17
COURTS	
Add Fifth Judicial Position	81-82 IR 104
Superior Court Child Support Payments	88-89 FR 10
Court Appointed Special Advocate (CASA) Program	89-90 FR 12
Court Appointed Special Advocate	83-84 IR 7
Superior Court Long Range Planning	89-90 FR 36 90-91 FR 7
Jury Selection Process	91-92 FR 22
Superior Court - Paso Robles Branch	99-00 FR 41
Juvenile Justice Court	00-01 FR 105
Computerized Case System	88-89 FR 22
Integrated Accounting System	89-90 FR 28
Grand Jury Audit Rights	86-87 FR 7
Modification to Buildings	89-90 FR 29
Court House Security	92-93 FR L D-1
County Superior Court Holding Facility	99-00 FR 135
San Luis Obispo County Courthouse Holding Cells	98-99 FR 62 00-01 FR 129
Security at Juvenile Court	02-03 FR 49

CUESTA COLLEGE	
Selection of North County Campus Location	97-98 FR 54
Nursing Program Admission Policy	02-03 FR 37
CUESTA COLLEGE FOUNDATION	
Payroll	89-90 FR 13
DIABLO CANYON	
Confinement of Protesters	81-82 IR 82
DRUGS	
Drug Control and Investigations	82-83 FR 13
Narcotics Task Force (NTF) Activities	89-90 FR 32
Narcotics Task Force (NTF) Expansion	83-84 FR 11
	85-86FR 69
	85-86 IR 1,87
Drug Prevention in County Schools	86-87 FR 14
	86-87 IR 3
DUI Enforcement	86-87 FR 16
Emergency Medical Services Association (EMSA)	88-89 FR 32
Drug Abuse Resistance Education (DARE) Program	89-90 FR 14
ELECTIONS	
Absentee Ballot Processing	90-91 FR 5
Impartial Analysis by County Counsel of Measure A	91-92 FR 28
Measure A Campaign	91-92 FR 40
EMERGENCY PREPAREDNESS	
County-wide Emergency Preparedness	86-87 FR 2
Communication	88-89 FR 2
Office of Emergency Services	93-94 FR AD 5-1
EMPLOYEE BENEFITS	
Free use of Golf Course by County Employees	80-81 IR 23
County Health Club	82-83 IR 6
Mileage Compensation	82-83 FR 16
County Wages	82-83 IR 5
Pension Trust Funds	84-85 FR 9
Overnight Use of County Vehicles	86-87 FR 20
Vehicle Allowances	91-92 FR 20
	92-93 FR AD-3
Legal Defense of Former Employees	87-88 FR 9
Prevailing Wage: Ordinances	94-95 FR 95
	REC 11
Disability Retirement	80-81 FR 58
Prevailing Wage Ordinance Salary Survey	95-96 FR 55
ENGINEERING DEPARTMENT	
Road Assessments	88-89 FR 10
County Engineering Department Review	90-91 FR 96

ENVIRONMENTAL CONCERNS	
County-wide Environmental Impact Study	86-87 FR 38
Adherence to Requirements of CEQA	87-88 FR 38
Household Hazardous Waste	91-92 FR 95
Flood Control Problems in Los Osos	97-98 FR 23
Environmental Damage Settlements and the Public Interest	98-99 FR 12
Regulatory Agencies and Local Disaster Mitigation and Preparedness Actions	98-99 FR 27
ETHICS	
Code of Ethics for Elected Officials	83-84 IR 6
Conflict of Interest Statements	84-85 FR 2
Administration of Policies, City of Pismo Beach	87-88 IR 1
	87-88 FR 2
Financial Activities of SLO Elected Officials	89-90 FR 16
Port San Luis Harbor District	98-99 FR 22
FIREARMS	
Recreational Shooting Area	84-85 FR 23
Weapons Discharge in county	86-87 FR 26
	86-87 IR 4
FIRE PROTECTION	
Rural Fire Protection	86-87 FR 40
Investigation of Fire Department Performance	91-92 FR 74
Department of Forestry-Capital Expenditures	92-93 FR AD-4-1
Department of Forestry-Emergency Equipment Rental	93-94 FR AD-4-1
San Miguel Fire Department	96-97 FR 18
	00-01 FR 149
GANGS (ALSO SEE COUNTY SHERIFF)	
Special Report Gangs San Luis Obispo County	93-94 FR L 14-1
GENERAL SERVICES	
Interdepartmental communications	82-83 FR 4
Review of General Services	84-85 FR 8
General Services Custodial Functions	85-86 FR 2
Fixed Assets	88-89 FR 10
Morro Bay Golf Course Concessionaire	88-89 FR 11
Morro Bay Golf Course Tee Time Reservation Procedure	90-91 FR 9
County Garage	94-95 FR 50
	94-95 REC 05
County Garages - combine services	01-02 FR
Custodial Services	94-95 FR 53
	94-95 REC 05
Parks and Recreation/Golf Course	94-95 FR 56
	94-95 REC 05
GRAND JURY	
Facilities for Grand Juries	80-81 IR 16
Grand Jury Interim Reports	80-81 FR 49
Per Diem and Mileage Allowance	80-81 IR 41
Hawkins Decision	80-81 FR 55

Inadequate Response to 80-81 Report	81-82 IR 73
Per Diem Rates	88-89 FR 11
Grand Jury Selection	84-85 FR 02
HEALTH DEPARTMENT	
Detoxification Center	88-89 FR 24
Health Resources Needs	94-95 FR 66
	94-95 REC 07
	94-96
HIRING PRACTICES	
San Luis Obispo Office of Education	89-90 FR 25
HOSPITALS	
Cambria Community Hospital District	81-82 FR 61
General Hospital Management	82-83 IR 07
Management Review SLO County General Hospital	83-84 FR 12
General Hospital Management	84-85 FR 11
General Hospital Time and Attendance Reporting	89-90 FR 17
General Hospital	90-91 IR 58, 65
General Hospital	91-92 FR 54
LAND CONSERVATION	
Williamson Act Contracts	84-85 FR 01
California Land Conservation Act	86-87 FR 36
	86-87 IR 01
	87-88 FR 40
Land Use Delays - Planning	92-93 FR P- 4-1
Land Fills - Los Osos and Coldwater Canyon	88-89 FR 40
LAW AND JUSTICE	
Commentary	94-95 FR 14
	95-96 FR 73
LIBRARIES	
Use of the County-Law Library	86-87 FR 34
Policy on Acceptance of Book Donations	92-93 FR AD 8-1
County Library system	01-02 FR
LOCAL AGENCY FORMATION COMMISSION (LAFCO)	
LAFCO Policy	82-83 FR 15
MEDIA	
County Media Relations	87-88 FR 11
MEALS ON WHEELS	
Five Cities	93-94 FR H-2-1
MENTAL HEALTH	
Care of the Violent Mentally Ill	81-82 FR 59
LPS Conservatorships	82-83 FR 09
	86-87 FR 14
	87-88 FR 15

Mental Health Department Review	84-85 FR 11
Mental Health - Child Victims	92-93 FR H-1
	85-86 FR 29
Mental Health Inpatient Ward	92-93 FR H 2-1
	91-92 FR 61
Mental Health Services for Juveniles	93-94 FR L-9-1
MOBILE HOME PARK / CONDOMINIUM	98-99 FR 35
Mobile Home Park Condominium	88-89 FR 04
Home Park Condominium Conversion	85-86 FR 86
	89-90 FR 27
NARCOTICS TASK FORCE (NTF) (See Drugs)	
NOISE POLLUTION	
Noise Abatement Ordinance	80-81 IR 33
Noise Pollution Level in Planning and Engineering	83-84 FR 10
PARKING	
Downtown Parking	82-83 FR 17
Recreational Vehicle Parking	82-83 IR 1
"Red Curbing" in Arroyo Grande	86-87 FR 32
County Owned Space Assignment & Possessory Interest Tax	97-98 FR 4
PARKS	
Nipomo	82-83 IR 2
Shandon	82-83 IR 3
Lopez Lake Recreation Area	83-84 FR 6
Measure D on Ballot	92-93 FR AD 7-1
Nipomo Regional County Park	83-84 FR 2
Review of County Parks	85-86 FR 109
PAYROLL	
Payroll Computations	80-81 FR 53
	02-03 FR 3
COUNTY DIVISION OF RISK MANAGEMENT	
COUNTY DIVISION OF ENVIRONMENTAL HEALTH	
RALCCO Recycling Site Cleanup	02-03 FR 27
Integrated Waste Management	02-03 FR 33
COUNTY PERSONNEL DEPARTMENT	
Personnel Department	82-83 FR 18
County Personnel Practices	84-85 FR 5
County Personnel Policies	87-88 FR 18
Sexual Harassment Policy	88-89 FR 34
Sexual Harassment Policies	93-94 FR AD-8-1
Sexual Harassment Awareness Training	89-90 FR 34
Mandatory Sexual Harassment Awareness Training	90-91 FR 11
Alcohol Abuse Policy	88-89 FR 34
Employment Policy	88-89 FR 34

Voluntary Time off	92-93 FR AU-6
Assigning Employees to Bargaining Units	93-94 FR AD-3-1
Employee Exit Interview Process	00-01 FR 131
COUNTY PLANNING DEPARTMENT	
Planning Department Permits	84-85 FR 23
Minor Use Permits - Cayucos	
Charges for Zoning Changes	88-89 FR 44
Planning Department Permit User Survey	93-94 FR P-7-1
Land Use Update	93-94 FR P-7-1
Request for Sewer Connection, Paso Robles	93-94 FR P-3-1
Charges for Zoning Changes	88-89 FR 44
Sewers in Los Osos Valley	88-89 FR 44
Zoning Enforcement	88-89 FR 46
COUNTY PLANNING DEPARTMENT (continued)	
Solid Waste Disposal Sites	88-89 FR 47
Permit Process	89-90 FR 33
Building Permit Problems	90-91 IR 92
Planning Department User Survey	91-92 FR 100
Treatment Summit Station Water Co	92-93 FR P 6-5
Code Variance Procedures	95-96 FR 37
Commentary of Department	95-96 FR 36
Complaint Procedure	94-95 FR 100
Complaint Responses	95-96 FR 50
Land Use and the California Environmental Quality Act (CEQA)	00-01 FR 7
Transfer of Development Credit Program	00-01 FR 51
County Planning Department	01-02 FR
New Software	02-03 IR 69
POLICE DEPARTMENTS	
Summary of Police Department Activities	93-94 FR 6-13-1
Atascadero Police Department	92-93 FR L-17-1
	93-94 FR L-7-1
	93-94 REC 01
	94-95 FR 21
Atascadero Police Dept. Complaint Process	93-94 FR L 12-1
Arroyo Grande Police Department	93-94 FR L-10-1
	94-95 FR 17
	94-95 REC 01
Grover Beach Police Department	92-93 FR 22
	93-94 FR L-3-1
	94-95 FR 61
	95-96 FR 12
	95-96 REC 06
	02-03 FR 13
Morro Bay Police Department	92-93 FR L-15-1
	93-94 FR L-2-1
	94-95 FR L-2-1
	94-95 REC 08
Municipal Police Department Review	85-86 FR 70
	85-86 IR 90
Paso Robles Police Department	90-91 FR 82

	91-92 FR 68
	92-93 FR L 10-1
	93-94 FR L 5-1
	94-95 FR 76
	94-95 REC-8
	99-00 FR 13
Pismo Beach Police Department	92-93 FR L 4-1
	93-94 FR L 4-1
	94-95 FR 88
	94-95 REC 10
San Luis Obispo Police Department	91-92 FR 73
	93-94 FR L 11-1
	94-95 FR 85
Police Department/Holding Cells	90-91 Overview
	97-98 FR 65
PRISONS AND PRISONERS	
Use of Closed Circuit TV	81-82 FR 25
CMC (California Mens Colony)	81-82 FR 51
Report on Inspections	89-90 FR 31
	90-91 FR 62
	90-91 Overview 92
	82-83 FR 10
	83-84 FR 4
	87-88 FR 30
	88-89 FR 42
	91-92 FR 87
	94-95 FR 27
	94-95 REC 02
	95-96 FR 79
	96-97 FR 34
	97-98 FR 70
	99-00 FR 95
	00-01 FR 107
	00-01 FR 157
	01-02 FR
Inmate Package Management	00-01 FR 117
CMC Activating and Renovation	82-83 FR 11
Medical Treatment of Prisoners	93-94 FR L 16-2
Sexual Violent Predators Act	02-03 IR 59
El Paso de Robles School (CYA)	81-82 FR 57
	83-84 FR 3
	87-88 FR 24
	88-89 FR 42
	91-92 FR 82
	92-93 FR L 13-1
	93-94 FR L 8-1
	94-95 FR 43
	94-95 REC 03
	95-96 FR 82
	96-97 FR 49
	97-98 FR 67
	98-99 FR 50

	99-00 FR 103
	99-00 FR 191
	00-01 FR 121
	00-01 FR 161
	01-02 FR
	02-03 IR 67
El Paso de Robles Community Relations	82-83 FR 12
North County Holding Cells	02-03 FR 45
SAN LUIS OBISPO COUNTY JAIL	81-82 FR 54
	82-83 FR 11
	83-84 IR 3
	83-84 FR 1
	91-92 FR 85
	99-00 FR 125
	00-01 FR 123
	00-01 FR 163
	01-02 FR
County Jail Overcrowding	82-83 IR 4
	86-87 FR 28
	86-87 IR 5
County Jail Facility for Women	82-83 IR 9
County Jail Administration	85-86 FR 72
County Jail Property Management	86-87 FR 5
County Jail Study	88-89 FR 37
County Jail and Sheriffs Department	87-88 FR 34
	88-89 FR 42
	92-93 FR L 2-1
	93-94 FR L 15-1
Water and Sewer Facilities Serving Correct Inst.	86-87 FR 43
Cause of Death Investigations	88-89 FR 36
County Jail Facility	98-99 FR 56
PROBATION	
Probation Department Operations	82-83 FR 19
	84-85 FR 17
	92-93 FR L 8-1
Management Practices	88-89 FR 6
Juvenile Services Center	95-96 FR 68
Juvenile Services Center	01-02 FR
County Juvenile Services Center	81-82 FR 54
	82-83 IR 11
	87-88 FR 32
	88-89 FR 42
	91-92 FR 77
	96-97 FR 21
	97-98 FR 56
	99-00 FR 189
	00-01 FR 165
Restorative Justice Programs - County Probation Department	97-98 FR 60

Juvenile Center Overcrowding	82-83 IR 11 92-93 FR L 7-1
PUBLIC HEALTH	
Atascadero North County Clinic	84-85 FR 3 84-85 IR 6 43
PUBLIC RECORDS	
Citizen Access to Public Records	81-82 IR 104
PUBLIC WORKS	
Right of Way Maintenance County Policy	81-82 FR 71
County Roads	99-00 FR 31
PURCHASING	
Purchasing Department operations	82-83 FR 20
County Procurement Procedures	90-91 FR 43
ROADS	93-94 FR 7-1
Highway 41 Reconstruction Bridge Replacement	
SCHOOLS	85-86 FR 32
Hazardous Chemicals in Labs	86-87 FR 24
Drug Prevention in County Schools	86-87 IR 3 88-89 FR 30
Atascadero Unified School District	94-95 REC 07
Lucia Mar School District	94-95 FR 69
SCHOOLS (CONTINUED)	97-98 FR 62
Review of San Luis Obispo High School	99-00 FR 71
Culinary Arts Academy - Paso Robles Unified School District	99-00 FR 77
Safety in County High Schools	99-00 FR 89
Special Education Services - San Luis Coastal	
SEXUAL HARASSMENT AWARENESS TRAINING (See Personnel Department)	
Study of Sexual Harassment	93-94 FR AD 8-1
SHERIFF'S DEPARTMENT	
Experimental Use of Police Service Dogs	80-81 IR 27
Evidence Storage Facilities	80-81 IR 26
Sheriffs Patrol Augmentation	80-81 IR 42
Conduct During Diablo Blockage	81-82 IR 92
Sheriff/ Coroner Personnel Problems	82-83 IR 8
Sheriffs Department Review	84-85 FR 19 84-85 IR 45 85-86 FR 80 94-95 FR 107 94-95 REC 12 97-98 FR 75
Sheriffs Department and Jails Review	95-96 FR 77
School Pictures	92-93 FR H 3-1
Search and Rescue Unit (SAR)	87-88 FR 36 87-88 IR 2
South County Substation	90-91 IR 77 90-91 FR 81

Suspected Abuse Response Team (SART)	92-93 FR L 16-1
Review of Department	94-95 REC 12
	94-95 FR 107
Jail Facilities Review	95-96 FR 77
County Sheriff's Department Gang Task Force	97-98 FR 72
SOCIAL SERVICES (Also Child Welfare)	
Complaint Resolution	01-02 IR 1
Complaint Resolution - Follow-up	01-02 FR
Social Services Department Personnel Survey	80-81 IR 37
Social Services Department	81-82 FR 65
Social Services Department Review	84-85 FR 16
	84-85 IR 53
Family Support Division	94-95 FR 48
	94-95 REC 04
Food Stamp Security	99-00 FR 155
Reunification of Families	88-89 FR 17
Breach of Confidentiality	88-89 FR 17
SOCIAL SERVICES (Also Child Welfare) (CONTINUED)	
Child Protective Services At Risk Children	88-89 FR 18
Child Protective services	00-01 FR 101
Mental Health Services for Juveniles	98-99 FR 35
Suspected Abuse Response Team (SART)	88-89 FR 20
	92-93 FR L 16-1
Substance Abuse Center	88-89 FR 24
Medi-Cal Eligibility	88-89 FR 26
Eligibility Worker Turnover	88-89 FR 28
Social Services	90-91 FR 67
Social Services-Child Welfare	94-95 FR 32
	94-95 REC 02
Commentary of Social Services	95-96 FR 57
Child Protective Services	95-96 FR 58
Adult Protective Services	95-96 FR 64
Child Welfare Services - Use of Donated Funds	96-97 FR 25
	00-01 FR 151
Personnel Recruitment and Selection	96-97 FR 28
	00-01 FR 153
SPECIAL SERVICES DISTRICT (Also see CSD'S)	
Avila Beach County Water District	81-82 FR 43
Cayucos Sanitary District	92-93 FR 9
Garden Farms County Water District	81-82 FR 40
Port of San Luis Harbor District	81-82 FR 69
	85-86 FR 4
	92-93 FR AD 6-1
Port San Luis Harbor District	98-99 FR 22
Santa Maria Valley Water Conservation District	81-82 FR 48
South County Sanitation District	84-85 FR 5
	84-85 IR 10-59
Special Services District Water & Sewer Standards	86-87 FR 41
Road Maintenance Fees Administered by CVC Services	95-96 FR 28

TRAFFIC CONDITIONS

Creston Road -City of Paso Robles

95-96 FR 32

TREASURER

County Investment Policy

84-85 FR 7

84-85 IR 37

Banking Service Fees

88-89 FR 12

UNDERAGE DRINKING DRIVERS

Underage Drinking Drivers

92-93 FR L-12-1

VACATION RENTALS

Home Vacation Rentals (Transient Occupancy Tax)

97-98 FR

WATER

Morro Bay Water

92-93 FR P 6-1

Water Resources Planning

81-82 FR 31

Water Well in Black Lake Canyon

83-84 IR 01

Water Rights – Cambria

88-89 FR 22

Water Quality - San Miguel

88-89 FR 03

Water Bonds - Templeton

92-93 FR AU 3-1

Water Permits - Templeton

88-89 FR 44

Water Use Search

92-93 FR P 5-1

Water Well Permits - Pismo Beach

88-89 FR 03

Water Well Permits - Grover City

88-89 FR 03

Water Well Drilling - Pismo Beach

88-89 FR 37

Water Rates - Grover Beach

93-94 FR AD-2-1

Survey of Largest Water Providers.

93-94 FR AU-4-1

ECONOMIC HARDSHIP DUE TO DELAYED ZONING CHANGES

92-93 P 7-1

Appendix H Five year Agency Review

SLO agencies and five year history of report activity

The following spread sheets are sorted by the various agencies (penal institutions, community service districts, school districts, etc.) from 1998 to 2004. It indicates by an “x” in the year column if the agency was reviewed, an “x” in the “F” column if there was a finding, an “x” in the “R” column if there was a recommendation and an “x” in the “I” column if the recommendation was implemented. If there are no “x’s” then no record of review, or a response not required nor received

Entity	Year				99-00	F	R	I	00-01	F	R	I	01-02	F	R	I	02-03	F	R	I	03-04	F	R	I
	98-99	F	R	I																				
Cambria Community Healthcare District																								
Child Welfare Services																								
Alleged improprieties of Case workers, concern about increase in voluntary agreements by guardians / parents													X	?	?							X	X	X
Complaint resolution									X	?	?	?												
Mental Health Services (Health Agency)																								
Mental Health Services (Juveniles)	X																							
Environmental Health (health Agency)	X																							
Entity	Year				99-00	F	R	I	00-01	F	R	I	01-02	F	R	I	02-03	F	R	I	03-04	F	R	I
	98-99	F	R	I																				
Air Pollution Control District	X																							
Assessor					X																			
County Service Area No. 22 - Airport Area Specific Plan									X															
San Miguel Fire Protection District									X															
Entity	Year				99-00	F	R	I	00-01	F	R	I	01-02	F	R	I	02-03	F	R	I	03-04	F	R	I
	98-99	F	R	I																				
Community Services Districts					X								X											
(Governed by Elected or Appointed Boards)																								
(Independent)																								
California Valley Community Service District					X																	X		
Cambria Community Service District													X											
Personnel Department									X															
Planning Department									X				X				X							
Library (City - County)													X											
Risk management																								
San Luis Obispo County Office of Education					X																			
Shandon Unified School District					X																			
Integrated Waste Management Authority																	X							
Harbor Districts (Governed by Elected or Board of Supervisors)																								
Port San Luis Harbor District	X																							
Cities																								
Atascadero	X				X																			
Morro Bay									X															
Paso Robles									X															
Entity	Year				99-00	F	R	I	00-01	F	R	I	01-02	F	R	I	02-03	F	R	I	03-04	F	R	I
	98-99	F	R	I																				
Police Departments																								
Atascadero																								
Arroyo Grande																								
Grover Beach																	X	Y	Y	?		X		
There were 72 findings and 2 recommendations																								
Morro Bay																								
Municipal																								
Paso Robles																								
Various recommendations					X	Y	Y	?																
Pismo Beach																								
San Luis Obispo																								
California Men's Colony																								
Misc. observations	X	?	?																			X		
Need 5 year budget, add 2nd shift, plus various					X	Y	Y	Y																
Various misc.									X	Y	Y	?												
Misc. recommendations													X	Y	Y	?								
El Paso de Robles Youth Correctional Facility (Dept. of Youth Authority)																								
laser machine, communicable Ed. Program, add bi-linq personnel	X	Y	Y	?																				
Facilities, staff & wards review					X	Y	Y	Y																
Various									X	Y	Y	?												
Observations (casual?) sited as fact / findings													X	Y	Y	?								
No findings. Published info regarding reduction of wards																	X	N						
Expired medications																						X	X	X
Paso Robles Unified School District - Culinary Arts Academy					X																			

53

Appendix I Index of Legal Opinions

	Court (*)	Subject	Date
1		Legal Defense and Indemnity of GJ	11/15/1988
2		GJ conflict of interest code	2/14/1989
3		* Analysis of government code section 1780, failure of a Community	1/11/1991
		Service District to post noticing for a board vacancy	
4		* Confidentiality and the GJ	2/4/1991
5		Penal Code 919, sub (b) regarding CYA	2/28/1991
6		Political activities of county employees	3/31/1994
7		Release of identity of witness and release of documents gathered in GJ investigation	6/1/1994
8		W & I code article 1.15 sections 5170, et seq inquiry as to the authority of police officers to take individuals into custody	6/2/1995
9		W & I code 5170 & 5070.1 determined to be not applicable	6/5/1995
10		GJ law enforcement/public prison investigations and review of final report responses plus additional comments on final reports	8/7/1995
11		Pro Bono assistance from outside parties	9/5/1995
12		GJ right of access to police agency records pursuant to PC832.7	3/1/1996
13		Legal review of GJ final reports (an example of the letter format)	5/3/1996
14		Authority of GJ to investigate prior GJ conduct (no such authority)	3/11/1997
15		Discussion of proposed final report with subject of that report Only "findings" may be discussed prior to its release	3/25/1998
16		Public Inquires for personal information about grand juror	3/26/1998
17		Public requests for personal information about grand jurors	5/13/1998
18		Method of obtaining copies of official state records	11/29/1999
19		Possible conflicts of interest	7/21/2000
20		Political activities of city employees	8/23/2000
21		E-Mail	9/12/2000
22		Area Advisory Committees	10/23/2000
23		* Enforcement of GJ recommendations	3/8/2001
24		CASA Subpoena	3/19/2001
25		GJ members as participants on outside committees	9/12/2001
26		GJ members as participants on outside committees	9/14/2001
27		AG opinion requests	10/3/2001
28		Grand Juror becoming contract county employee	10/4/2001
29		Grand Jury Authority to investigate and Report on Foster Homes	10/10/2001
30		Discussion of proposed final report with subject of that report (same as #15)	10/11/2001
31		Retention of Grand Jury files	3/3/2002
32		Retention of Grand Jury files	3/29/2002

33	Indictment Authority of a GJ	9/3/2003
34	Penal Code section 832.7 can grand jury inspect personnel records of correctional officers and CYA wardens?	9/23/2003
35	Standing orders regarding access to Child Welfare files	various
36	Atascadero State Hospital & AJ definition of "prisons"	July 2004
37	CWS case record retention	6/5/2004
38	District Attorney summary of applicable statutes relating to the retention of peace officer records	1/3/2005
39	District Attorney summary of applicable statutes relating to grand jury confidentiality and admonishment of witnesses.	1/3/2005

Appendix J Superior Court Standing Order

AMENDED STANDING ORDER OF THE JUVENILE SUPERIOR COURT OF THE COUNTY OF SAN LUIS OBISPO REGARDING ACCESS BY THE GRAND JURY TO CONFIDENTIAL RECORDS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES

The Court hereby approves this Amendment to the Standing Order dated December 20, 1993, and the Amended Standing Order dated January 6, 2004, regarding access by the Grand Jury of San Luis Obispo County to confidential Child Welfare Services records. This Amended Standing Order states in full the limitations and conditions under which the San Luis Obispo County Grand Jury may inspect the Juvenile Court records described in Welfare and Institutions Code sections 10850 and 827, and maintained by the Child Welfare Services Division of the Department of Social Services of San Luis Obispo County (DSS).

Each year the Grand Jury shall select those members who will be identified to address juvenile issues. The number of Grand Jurors chosen for this assignment may vary each year and is within the discretion of the Grand Jury. As soon as practical after July 1st of each year, Grand Jurors shall receive training regarding issues of confidentiality for juvenile records, and training regarding the policies and procedures of the Juvenile Court of San Luis Obispo County. Such training normally will be provided by the Office of County Counsel. A list of those persons who received the training shall be provided to the Presiding Judge of the Juvenile Court and to the Director of the Department of Social Services. After receiving such training, those Grand Jurors may access confidential Juvenile Court information as follows:

Non Case Specific Information: The Grand Jury members who have received the confidentiality training will be allowed to discuss general policies and procedures, attend DSS training sessions, observe emergency response workers

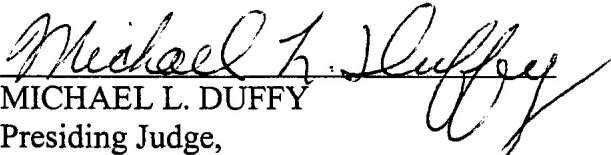
at the phones and in the field, and attend Juvenile Court proceedings. This general information may be shared with Grand Jury members who have not participated in the training, so long as no case-specific information obtained through this process is included.

Case Specific Information:

- (1) Members of the Grand Jury who have received the confidentiality training may discuss individual cases with the assigned social worker. A social worker or a supervisor may meet alone with the Grand Jury members who have received the confidentiality training. The information obtained in this manner may be discussed with other Grand Jury members who have received the confidentiality training. The information may only be reported back to the remaining members of the Grand Jury in the form of conclusions reached about policy and procedure, rather than case-specific information.
- (2) In circumstances where the Grand Jury desires to keep its investigation confidential from the social worker(s), and where the complaining person is a party to the case or an attorney for a party, a Grand Jury member will contact the employee designated by the Department of Social Services to obtain the file from the social worker for review by the Grand Jury. The social worker shall not be advised that the Grand Jury is the entity requesting the file. No notation shall be made in the file that the Grand Jury has requested the file. The review shall be conducted in the presence of a designated Department of Social Services employee. The Grand Jury members may take notes from information in the file. Documents are not to be removed from the file. At no time will the case file be removed from the Department of Social Services and no inspection shall occur without the presence of at least one Department of Social Services employee at all times.
- (3) Case-Specific information obtained from the review of the file may be discussed with the other members of the Grand Jury who have received the confidentiality training. The information may be reported back to the remaining members of the Grand Jury in the form of conclusions reached about policy and procedure, rather than case-specific information.

Miscellaneous Provisions: If the Grand Jury members believe they are being denied access to necessary information, they may file a request for additional information under Welfare and Institutions Code section 827.

DATED: 10/13/05


MICHAEL L. DUFFY
Presiding Judge,
San Luis Obispo County Juvenile Court

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